

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: Hart v. Bed Bath and Beyond, Inc., et al.
Civil No. PJM 13-868

DATE: October 8, 2014

* * *

On October 2, 2014 the Court received a Motion to Withdraw as Counsel of Record for Losorea Packaging, Inc. (Paper No. 124) from Losorea Packaging, Inc.'s ("Losorea") counsel Leach Travell Britt PC ("LTB"). On October 3, 2014, the Court received a Motion to Stay All Judicial Proceedings and Enlarge Time with Respect to Losorea Packaging, Inc. (Paper No. 125), filed by LTB on behalf of Losorea. On October 6, 2014, the Court received an Initial Joint Status Report and Request for Modification of Initial Scheduling Order (Paper No. 130). On October 7, the Court approved the proposed Amended Scheduling Order (Paper No. 131), which extended eight deadlines set in the original Scheduling Order (Paper No. 120) by 120 days each.

The Court is inclined to grant LTB's Motion to Withdraw. However, Local Rule 101(a) requires that all parties other than individuals must be represented by counsel. Accordingly, if in the next 30 days from the date of this order Losorea does not retain new counsel, the Court will grant the Motion to Withdraw and the matter as to Losorea will proceed without counsel. For now, LTB remains in the case. If new counsel for Losorea does not enter an appearance in the case within 30 days from the date of this order, the Court may take any action that it deems appropriate, including dismissing any affirmative claim for relief asserted by Losorea and/or directing Losorea to show cause why a default should not be entered on claims asserted against it.

Accordingly, the Court DEFERS ruling on the Motion to Withdraw (Paper No. 124).

In addition, the Court GRANTS-IN-PART the Motion to Stay All Judicial Proceedings and Enlarge Time with Respect to Losorea Packaging, Inc. (Paper No. 125). The Court grants the Motion as to judicial proceedings with respect to all parties and not solely as to Losorea. Additionally, the eight deadlines set forth in the Amended Scheduling Order (Paper No. 130) shall remain in effect.

Accordingly, all further proceedings in this matter, including the issuance of any further discovery and the filing of any dispositive motions, are hereby STAYED for 30 days from the date of this Memorandum Order. New counsel, if any, for Losorea shall respond to all outstanding discovery requests as to Losorea within 45 days from the date of this order. After 30 days from the date of this order, the timelines set forth in the Amended Scheduling Order (Paper No. 130) shall apply.

There will be no further extensions granted to Losorea beyond these.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File